

**STATE OF TEXAS  
TEXAS ECONOMIC DEVELOPMENT  
TEXAS ENTERPRISE ZONE PROGRAM  
PROGRAM BENEFITS GUIDELINES**

*The purpose of the Texas Enterprise Zone Program is to encourage job creation and capital investment in economically distressed areas of Texas. The program, which was created as a result of the Texas Enterprise Zone Act (Act), Chapter 2303, Texas Government Code, uses a process to identify severely distressed areas of the state and provide state/local incentives to induce private investment in these areas.*

**ABOUT THIS DOCUMENT**

This document serves as a reference for enterprise projects seeking to obtain both the State Sales & Use Tax Refund and Franchise Tax Reduction offered through the Texas Enterprise Zone Program. **It is preferred business practice to have jobs certified by Texas Economic Development (TxED) before a claim is submitted to the Comptroller of Public Accounts (Comptroller). This would require submission of a complete Job Certification Application at least 60-90 days prior to the project tax claim deadline.**

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**BENEFIT CYCLE**

**State Sales & Use Tax Refund** – An enterprise project may file a claim annually or semi-annually.

**Franchise Tax Benefit** – The applicable reduction or credit is taken on the enterprise project's annual report filing for each year of the five-year designation period. Please contact the Comptroller for further information at 1-800-531-5441.

**Note:** For further information on taxes, filing claims and the Comptroller's office in general, please visit their internet site @ <http://www.window.state.tx.us/>

**CONTACT LIST**

**For Job Certification Assistance Call:**

Texas Economic Development  
Texas Enterprise Zone Program  
(512) 936-0263  
(512) 936-0274  
(512) 936-0047

Yvette Henderson  
Brenda Clear  
Tad Curtis

**For State Sales And Use Tax Instructions Call:**

Texas Comptroller of Public Accounts  
(512) 463-4332 or toll-free (800) 531-5441 x34549

Orlando Guerrero

**For Franchise Tax Instructions Call:**

Texas Comptroller of Public Accounts  
(512) 463-4496 or toll-free (800) 531-5441 x34496

Jerry Oxford

*Texas Economic Development is an equal opportunity employer/program.  
Auxiliary aids and services will be made available upon request to individuals with disabilities.*

## SECTION 1 – COMMONLY ASKED QUESTIONS

### What is an Enterprise Zone?

An enterprise zone is a local option, and economic development tool that allows a community to partner with the State to offer a package of local and state tax and regulatory benefits to new or expanding businesses in economically distressed areas. More specifically, a zone is a geographic area nominated by a city or county or a combination of cities and/or counties through an application to TxED. The area must meet at least one of two possible primary distress criteria (high unemployment or population loss) and one of seven secondary distress criteria that are currently considered. The area must have a continuous boundary and be at least one square mile in size, but not larger than 10 square miles or 5% of the governing body's/bodies' jurisdiction (up to 20 square miles), whichever is larger. The designation period for a zone is seven years.

### What is an Enterprise Project?

An enterprise project is a business that is nominated by an enterprise zone governing body and approved by TxED for state and local benefits. The business must commit to create or retain permanent jobs, make capital investment in the enterprise zone, fill at least 25% of its new jobs with individuals who are either economically disadvantaged or residents of an enterprise zone within the governing body (ies) jurisdiction, and maintain a level of employment from the date jobs are certified by TxED for at least three years.

### What State Incentives Are Available to Enterprise Projects?

Projects are eligible for State Sales & Use Tax refunds and Franchise Tax reductions or credits. These benefits are based on job creation, and in some cases job retention, and capital investment for a period of five years. Investment made and jobs created 90 working days prior to the date of approval and during the designation period may be considered eligible for benefits.

The State Sales and Use Taxes paid on machinery and equipment, building materials, labor for the rehabilitation of existing buildings, electricity and natural gas purchased for use in the enterprise zone and other eligible items may eligible for refund. The refund is based on \$2,000 for each permanent job created or retained for projects approved prior to 9/1/01, and \$5,000 for each permanent job created or retained during the five-year designation period for projects approved on or after 9/1/01. The number of jobs for which a refund may be received is based upon commitments made in the project application. Each project is limited to a maximum refund of \$1.25 million or \$250,000 per year over the five-year period.

The process involved for State Sales and Use Tax refund is two-fold and requires:

- 1) ***Certification of jobs created and/or retained*** by TxED.
- 2) ***Certification of sales & use tax paid on qualifying items*** by the Comptroller.

The Franchise Tax reduction is taken on its annual report filing for each year of the five-year designation. The reduction is based on the amount of capital investment made by the project in the enterprise zone. The project's apportioned taxable capital may be reduced by 50% of the capital investment or the apportioned earned surplus income may be reduced by 5% of the capital investment made in the enterprise zone. The business must pay the highest liability. Projects designated on or after September 1, 2001 are entitled to establish certain franchise tax economic development credits. For more information about the jobs creation credit and capital investment credit, see Chapter 171, Subchapter P & Q of the Texas Tax Code. To determine potential franchise tax benefit under this section of the program, we would advise your tax department contact the Comptroller. The contact is Mr. Jerry Oxford, (512) 463-4642.

## What is a Qualified Business?

A qualified business is a person, including a corporation or other entity that TxED, for purposes of state benefits under the Act, and a governing body, for purposes of local benefits, certifies to have met the following criteria:

- (A) the person is engaged in or has provided substantial commitment to initiate the active conduct of a trade or business in the zone; and
- (B) at least 25.0% of the business's new employees in the zone are residents of any zone within the governing body's or bodies' jurisdiction or economically disadvantaged individuals; and
- (C) a franchise or subsidiary of a new or existing business may be certified by the governing body of an enterprise zone as a qualified business if the franchise or subsidiary is located entirely in the zone and maintains separate books & records of the business activity conducted in the zone.

## What is the Definition of Economically Disadvantaged?

An individual who:

- (A) was unemployed for at least three months before obtaining employment with a qualified business; or
- (B) receives public assistance benefits, such as welfare or food stamp payments, or a member of an employee's immediate family receiving Supplemental Security Income or Aid to Families with Dependent Children payments (Food Stamps must be received by the employee only, not a member of the employee's immediate family); or
- (C) has a physical or mental disability (a disability which constitutes or results in a substantial barrier to employment and can reasonably be expected to benefit in terms of employability from vocational rehabilitation services. NOTE: Individuals should be certified by an authorized agency or doctor); or
- (D) is homeless (lacks a fixed or regular nighttime residence or whose residence is a supervised public or private shelter providing temporary living accommodations); or
- (E) is a foster child (an individual on behalf of whom state or local government payments are made and for whom a court order removing the child from the custody of the parent and specifying a manager conservator exists); or
- (F) is on parole or entering the workplace after being confined in a unit or correctional facility of the institution division of the Texas Department of Criminal Justice or the Texas Youth Commission; or
- (G) is an individual whose total family income meets the low income or moderate income limits developed under Section 8, United States Housing Act of 1937. Includes all income by employee, spouse, all dependents, and family members living with employee as of the employment date.

## What is a Qualified Employee?

An employee that works at least 50% of his/her time for the qualified business in the enterprise zone.

## What is a New Permanent Job?

A new position created **over and above the company's current baseline**, at the time of project designation, which provides a qualified employee of a qualified business with employment of at least 1,820 hours of work annually. Seasonal, temporary or part-time jobs are not considered to be new permanent jobs, and therefore are not eligible for benefit.

## What is a Retained Job?

A position that existed with a qualified business prior to designation as an enterprise project that has provided employment to a qualified employee of at least 1,820 hours annually and is intended to be a position retained during the period the business is designated as an enterprise project.

## What is an Existing Job?

A full-time position that was reported by the qualified business in the enterprise project application. These jobs do not qualify for benefit. The current number of existing jobs is used to determine the baseline level of employment at the time of project designation. New jobs, which are created 90 days prior to the date of approval and five years after approval date, qualify for benefit if the baseline jobs are maintained.

## Do Leased, Contract or Construction Employees Qualify for Benefit?

No. All employees occupying the new or retained jobs must be under the direct and permanent employment of the enterprise project that received the enterprise project designation.

### What Expenditures Qualify for Benefit?

All items must be sold to the enterprise project for use in the enterprise zone

⊃ Equipment and machinery. (all machinery and equipment used to operate the business)

- a) includes office equipment, computers, hand tools, intra-plant transportation equipment.
- b) includes machinery and materials used in the repair or remodeling of tangible personal or real property.
- c) For projects designated on or after 9/1/01 and before 9/1/05 included in eligible items are tangible personal property purchased and consumed in the zone and taxable services

⊄ Building materials for use in remodeling, restoring, or building a new structure in the enterprise zone.

Includes all structural steel, lumber, bricks, flooring, electrical system, cooling and heating systems, plumbing; concrete, asphalt & masonry.

NOTE: Labor for new construction is not taxed in Texas and is not eligible for refund.

⊂ Labor for remodeling or rehabilitating a structure (effective after 9/1/95).

≠ Electricity and natural gas purchased and consumed in the normal course of business.

≡ The state portion of the sales and use tax may be claimed but not the local portion unless that incentive is offered in the local area

**Note 1:** State sales and use taxes paid on qualifying items must be clearly identified by use of a "**separated contract**" that specifies what portion of the payment is for taxes on labor to be eligible for refund.

**Note 2:** State and local sales & use tax is not collected on the following items:

1. Machinery and equipment used in the manufacturing process.
2. Machinery and equipment exclusively used in the processing, packing, or marketing of agricultural products by the original producer at a location operated by the original producer exclusively for processing, packing, or marketing the producer's own products.
3. Machinery, tools and equipment used or consumed exclusively in the repair, remodeling, or maintenance of aircraft, aircraft engines, or aircraft component parts by or on behalf of a certified or licensed carrier of persons.
4. Electricity and natural gas consumed by companies that have been certified as predominantly a "manufacturer".

**SECTION 2- - CLAIM PROCESS  
FOR JOB CERTIFICATION  
(See Section 2a for more information on subsequent claims)**

⇒ **Determine if hiring requirement has been met.** Before filing a claim for certification, determine if the following hiring requirements have been met:

a) *at least 25% of the **total new jobs** created to date are filled with individuals that are either economically disadvantaged (ED) and/or enterprise zone residents (EZR).*

EXAMPLE: Of the 100 total new jobs created, 40 employees are ED/EZR  $(40 \div 100 = 40\%)$

b) projects using the **retained job** benefit, at least 25% of employee turnover must be either ED and/or EZR.

EXAMPLE: Of the 100 retained jobs claimed, 8 jobs had turnover; therefore, at least 2 employees hired in the 8 turnover positions must be ED/EZR  $(2 \div 8 = 25\%)$ .

c) for projects approved after 9/1/01, the hiring requirement that must be met is the hiring commitment made in the original application *for which points were earned*.

d) employees occupying positions must have accumulated the minimum of 1,820 hours during a 12-month period.

✂ **Submit a completed Application for Program Benefits form** to claim the total number of new jobs created and/or retained. The claim form must be signed by the authorized representative for the project as approved in the corporate resolution in the project application. If this is an *initial* (first time) job certification claim, no application fee is required. If this is a *subsequent* job certification claim, submit a non-refundable check in the amount of \$500. The check must be made payable to Texas Economic Development, Enterprise Zone Program.

⊂ **Submit supporting documentation** to verify commitments that the new jobs created were filled by individuals who were economically disadvantaged and/or enterprise zone residents at the time of employment, as outlined in the application for which points were earned. The documentation submitted should reflect only existing employees reported during the current claim period. Do not send documentation for those employees that have been terminated. Also, do not send originals. Please maintain the originals in your permanent files. The documentation may include:

a) ***Economically Disadvantaged:*** Submit verification by the Texas Workforce Commission (TWC). Enterprise projects may utilize the TWC for pre-employment screening to identify and refer qualified job applicants, including whether or not the applicant meets the economically disadvantaged provision; or Submit copies of the *Post-Employment Employee Certification Form* (page 12 of this document) or a similar form administered by the enterprise project. This form can be used to determine if the newly hired employees meet the criteria of an economically disadvantaged individual. This form must be distributed to all new employees occupying newly created job positions, on a confidential and voluntary basis.

b) ***Residency:*** Submit verification by the local Enterprise Zone Liaison of employees who reside in the enterprise zone. To confirm/document if employees occupying newly created jobs are residents of an enterprise zone, federal empowerment zone, or enterprise community, governed by the same governing body where the project is located, submit a request to the zone liaison including a listing of each employee's name and home address.

≠ **Following TxED's review** of the completed claim and supporting documentation, the claim representative may receive a findings letter that explains any outstanding issues pertaining to the position/job certification process. The findings letter will explain any deficiencies and provide the specific direction needed to complete the certification process. An attachment to the letter may be used to outline the specific positions/jobs that are "subject to verification" in addition to requesting information that may be deficient. **If verification is not received by the time-period**

stipulated in the findings letter, only the positions/jobs that were deemed qualified during the initial review will be certified. The certified positions/jobs will remain subject to the 3-year active standing requirement.

PLEASE NOTE: TxED has the right to obtain and review payroll data from the enterprise project for audit and review purposes. TxED will use professional judgment in determining when this additional step will be performed. Typically a payroll may be required when the business had existing employees at the time of project application.

**Finally,** TxED will notify the enterprise project and the Comptroller of its findings and the number of jobs certified.

**NOTE:** Please ensure that ALL supporting documentation is attached to the job certification claim, and that the documentation is in the same format as shown in the sample documents. If a claim is received without ALL supporting documentation, or if the documentation is not in the correct format, the claim will be returned, and a new submission will be required. It is imperative that all instructions on the Application Checklist be followed to reduce incomplete or inaccurate submittal that will result in requests being returned by TxED without review.

## SECTION 2a- - CLAIM PROCESS FOR JOB CERTIFICATION FOR *SUBSEQUENT CLAIMS*

The claim process for subsequent claims is a little different than for initial claims. Each position can only be certified once **but must be maintained for a period of 3 years** from the date it qualifies; therefore, **updated data must be provided for previously certified positions as well as new positions when submitting spreadsheet for subsequent claims.** Please use the following steps:

- ⇒ Using **the same spreadsheet/listing that was previously submitted**, identically formatted, update *all* positions with employee names, social security numbers, hours worked during the claim period, payroll data, dates of hire/termination (for the qualified position) and EZR/ED status.
  - Previously certified positions must be updated to show that the position is being maintained and filled. Show any employee turnover that has occurred in these positions.
  - Once previously submitted position data has been updated, add the new positions that have been created since the last claim was filed. It is important that the position numbers from the previous claim match the position numbers of this claim; the new positions will start with the next number in sequence.
- ⌘ The 25% hiring requirement is now calculated on all employees that are currently listed to include previously certified positions. Example: 25 positions were certified on the initial claim, the second claim has 25 more positions....if all positions are filled then the 25% would be calculated using 50 total positions ( $50 \times .25 = 12.5$  positions would need to be ED/EZR, round down to 12 positions).
- ⊂ Include all supporting documentation for positions on updated spreadsheet/listing.

**NOTE:** Once a position number has been assigned and the position considered for certification, the number should not be changed or used again. Example: The first claim has positions #1-25, the subsequent claim, while including previously certified positions #1-25 (with updated information) would continue with #26-50, the third claim likewise including previously certified positions #1-50 (with updated information) would be #51-75.....and so on.

### SECTION 3 - - APPLYING FOR SALES & USE TAX REFUND

- ⇒ **Comptroller of Public Accounts.** Once the job certification process has been completed by TxED, certification of state sales taxes paid on qualifying items is performed by the Comptroller. Information on sales/use tax, the tax code, forms and the Comptroller's office can be found on the internet at the following address/URL:

<http://www.window.state.tx.us/>

- ↻ **Complete the *Enterprise Project Claim for Refund of Texas State Sales and Use Tax form*** Submit the completed form to the Comptroller along with the *Invoices and Contracts form*. It is not necessary to submit copies of invoices with this claim, but submitting invoices may decrease processing time. However, backup documentation must be maintained on-site and is subject to audit by the Comptroller. It is **not** necessary to submit a copy of the sales tax claim to TxED.

- ⊖ **Submit the sales tax claim to the Texas Comptroller of Public Accounts.** The sales tax claim may be sent to the Comptroller before, after, or at the same time the job certification claim documents are submitted to TxED. It is recommended that, if possible, you wait until jobs have been certified by TxED, as the Comptroller will not process the sales tax claim until they are notified that jobs have been certified.

**Note 1:** The maximum refund amount that can be paid to an enterprise project is \$250,000 per year, subject to 1) certification by TxED of new jobs created at the rate of \$2,000 or \$5,000 per job (depending on whether the project was approved before or after 9/1/01), and 2) the amount of sales and use taxes paid on qualifying items.

**Note 2:** Enterprise projects that receive a refund of sales and use taxes must maintain the jobs associated with the refund for at least three years from the date the position qualifies for a refund. If the jobs are not maintained the Comptroller will assess that portion of the refund attributable to any such decrease in employment, including penalty and interest from the date of refund.



# APPLICATION FOR PROGRAM BENEFITS INSTRUCTIONS

**Note:** These procedures are to be used in conjunction with any applicable procedures established by the Comptroller of Public Accounts.

*Requests for refunds of state sales or use taxes must include certification by Texas Economic Development that the enterprise project is a qualified business under the terms of Section 2303.401 of the Texas Enterprise Zone Act, Texas Government Code.*

## APPLICATION FOR PROGRAM BENEFITS CHECKLIST

Submit checklist initialed to indicate documents are completed or attached. Indicate NA if issue is not applicable.

### SECTION 1: Zone and Project Information

**Zone Name and Number** – Enter the name of the enterprise zone and the zone number.

**Project Name** – Name of project as approved in the application (if an assumption of the company or a name change has occurred, official action must be taken before a job certification can occur).

**Project Number** – Enter the enterprise project number. This number was sent with the initial packet designating your project, call our office if you do not have the number.

**Date Approved and Date Expires** – Enter the date the project was approved and the date the project will expire.

**Job Certification Deadline and 90-Day Window** – The job certification deadline is calculated as the end of the state fiscal year (8/31) after the first anniversary after the project expires. For example if the project expires 1/31/02, the first anniversary after the project expires is 1/31/03; therefore the job certification deadline is 8/31/03. For a first-time claim, you may include sales and use taxes paid and new employees hired no more than 90 working days prior to the date of designation through the end of the claim period (this date was included in the initial packet designating your project).

**Designated Project Name and Address** – Name and address of qualified business site.

**Taxpayer or Vendor ID Number** – Federal I.D. Number or Social Security Number if filing as an individual (must match approved project application), as well as the address attached to the number (parent company address, etc.).

### SECTION 2: Claim Type

**Claim Type** – Annual Claim or Semi-Annual Claim; check the appropriate box.

**Claim Type** – First claim for the project, or a subsequent claim; check the appropriate box. If this is a subsequent claim, include a non-refundable application fee in the amount of \$500, made payable to Texas Economic Development

**Claim Period** - Actual period covered with this claim, this may be any qualified 12-month period as supported by payroll.

### SECTION 3A: Job Position Information (First-Time Claim)

**NOTE: Full-time and Permanent Employees** - All employees **must be** full-time (1820 hours or more annually), direct and permanent employees of the qualified business designated an enterprise project. Contract, leased, part-time or outsourced employees are not considered employees and do not count for job certification purposes.

- 1. Number of Jobs Allocated** – Jobs allocated 110% of the number of jobs projected to be created and/or retained in the application up to the maximum allowed (625 for projects approved prior to 9/1/01, and 250 for projects approved after 9/1/01). This number was sent with the initial packet designating your project.
- 2. Total Number of Job Positions submitted for certification** – The total qualifying number of job positions created and/or retained since project designation and being submitted for certification. When submitting a claim for both new and retained jobs, submit separate spreadsheets.
- 3. Total number of employees ED/EZR** - Number of reported employees that are residents of any enterprise zone within the governing body(ies)' jurisdiction and/or that are economically disadvantaged. Employees that are both ED and EZR only count once.
- 4. Percent of Reported Employees ED/EZR** – Calculate and enter the percentage (line 3 ) line 2). Projects using the retained job benefit, at least 25% of employee turnover must be either ED and/or EZR.
- 5. Total Payroll for all Positions Reported this Claim Period** – Total dollar amount of payroll for all new employees hired no more than 90 working days prior to the date of designation through the end of this claim period.
- 6. Total Number of Employees located at all Texas facilities** - Total jobs that are in Texas with the company that is designated an enterprise project.
- 7. Total Employees at the Designated Project Facility** – The total number of employees located at the designated project facility only.
- 8. Allocation Remaining** – Calculate the allocation remaining by subtracting the number of jobs eligible for certification from the number of jobs originally allocated at the time of approval.

### SECTION 3B: Job Position Information (Subsequent Claim)

**NOTE: Full-time and Permanent Employees** - All employees **must be** full-time (1820 hours or more annually), direct and permanent employees of the qualified business designated an enterprise project. Contract, leased, part-time or outsourced employees are not considered employees and do not count for job certification purposes.

1. **Number of Jobs Allocated** – Jobs allocated 110% of the number of jobs projected to be created and/or retained in the application up to the maximum allowed (625 for projects approved prior to 9/1/01, and 250 for projects approved after 9/1/01). This number was sent with the initial packet designating your project.
2. **Total Number of Job Positions Reported** – Total number of new and previously certified job positions created and/or retained by the project since the 90-day window date. When submitting a claim for both new and retained jobs, submit separate spreadsheets.
3. **Total Number of Job Positions Previously Certified.**
4. **Total Number of Job Positions Submitted for Certification this Claim** – Subtract line 3 from line 2.
5. **Total number of employees ED/EZR** - Number of reported employees that are residents of any enterprise zone within the governing body(ies)' jurisdiction and/or that are economically disadvantaged. Employees that are both ED and EZR only count once.
6. **Percent of Reported Employees ED/EZR** – Calculate and enter the percentage (line 5 ) line 2). Projects using the retained job benefit, at least 25% of employee turnover must be either ED and/or EZR.
7. **Total Payroll for all Positions Reported this Claim Period** – Total dollar amount of payroll for all new employees hired no more than 90 working days prior to the date of designation through the end of this claim period.
8. **Total Number of Employees located at all Texas facilities** - Total jobs that are in Texas with the company that is designated an enterprise project.
9. **Total employees at the designated project facility** – The total number of employees located at the designated project facility only.
10. **Allocation Remaining** – Calculate the allocation remaining by subtracting the number of jobs eligible for certification (and previously certified) from the number of jobs originally allocated at the time of approval.

#### SECTION 4: Required Backup Documents

**Verification of Zone Resident Status** – This verification must be from the enterprise zone liaison on governing body letterhead.

**Verification of Economically Disadvantaged Status** – This verification must either be TWC pre-screening documentation or the post-employment forms filled out by the employee (see sample document 1). Only submit forms for employees that qualify as economically disadvantaged.

**Qualified Business Re-certification forms Up-To-Date** – If you are not sure whether this requirement has been met, call our office.

**Documentation for “Contribution to Community”** – Submit written documentation of specific contribution(s) made as outlined in the original enterprise project application. This requirement applies to all projects approved after 9/1/01, and is a result of monitoring language required by statute.

**Power of Attorney** – This attachment is only required if the claim is to be submitted by an outside consultant or independent party.

#### SECTION 5: Certification of Application

**Certification/Signatures** – This section **must be completed and signed** by the person that is designated as the Primary Business Representative on the original project application.

#### SECTION 6: List of Jobs for Benefit (spreadsheet – sample document 2)

**Job Number** – A job position number is required for each new job created. Each job position is to be identified by a number (i.e. 1, 2, 3, in sequential order, or 1a, 1b, 2a, 2b, etc. if more than one employee occupied a position due to turnover during the claim period). If a position is occupied by two employees for a short period of time (if an employee quits, and the new person starts before the “old” employee leaves), only count the hours for one employee and note which employee’s hours are counted. The order continues between claim years.

**Position Title** – The job position title.

**Employee Social Security Number/ID No.** - The social security number of each new employee contributing to the cumulative work hours of a new job position. A permanent I.D. numbering system may be used in lieu of the SS# when the following criteria is met:

- 1] A statement from the business that it is not agreeable to providing social security information about their employees: and
- 2] A completed Job Certification-Numbering Affidavit.

**Employee Name** – The name of the employee. All employees contributing hours to the new job position must be listed.

**Annual Payroll** – The annual payroll paid for this position during the 12-month claim period.

**Number of Hours Worked** – The total number of hours worked by each employee for each new job position *during the claim period*.

**Dates of Employment** – The beginning and ending dates of each employee in the applicable job position. If employee was transferred to another position within the company then show date of transfer and show employee’s name in both the old and new position.

**EZ Resident** – Signify if the employee was an enterprise zone resident in any enterprise zone within the jurisdiction of the project applicant governing body(ies) (evidence must be provided by separate record verified by the enterprise zone liaison).

**Economically Disadvantaged** – Signify if the employee was economically disadvantaged in accordance with the Enterprise Zone Act, Chapter 2303.401, Section (c) (evidence must be maintained by employer by separate record). See Page 3, Commonly Asked

Questions section for a more detailed definition of economically disadvantaged. Only submit forms for employees that qualify as economically disadvantaged.

**Page Number** – Fill out page number of current page and total pages used.

**SAMPLE DOCUMENT 1**  
**POST-EMPLOYMENT EMPLOYEE CERTIFICATION**

The purpose of this survey is to obtain information from you as an employee of ABC Company, which is located in the City of Bluebonnet Enterprise Zone. Texas Economic Development would like for us to report the number of jobs we have created and the economic characteristics of our employees. **Completion of this questionnaire is voluntary. Responses will be held confidential.**

Employee Name Lindsey Sellsmith Social Security No. ### - ## - ####  
Address, City, Zip 1234 Austin Trail, Bluebonnet, TX 77777 Employment Date 10/30/97

**Please place a check mark(s) to the left of any statement that applies to you.**

- ☒ I was unemployed for more than 90 days prior to being employed with ABC Company.
- ☐ I was receiving public assistance benefits prior to being employed by \_\_\_\_\_, such as welfare, Women Infants and Children (WIC), or food stamp payments; or a member of my immediate family receives SSI (Supplemental Security Income) or TANF payments (Temporary Assistance to Needy Families). Food Stamps must be received by you, not a member of your immediate family).
- ☐ I have a disability. *Individuals should be certified by an authorized agency or doctor.*
- ☐ I am homeless, or a foster child (on behalf of whom the government pays benefit), or on parole or entering the workplace after being confined to a correctional facility.
- ☒ I am a member of a family whose total family income, before I was hired, was at or below the level indicated as marked below.
- Instructions:** (1) Place a check mark on the line next to the number of members in your immediate family. Include yourself, your spouse, all dependents, and family members living with you as of your employment date. (2) Add together **all** income received by individuals in your immediate family for the previous twelve months, and circle the word **below** if your combined income was actually **BELOW** the income limit for the number of family members for Travis County(s).

☐ I have been laid off or terminated from my employment by a defense contractor, defense related agency or company. Please list name of the agency or company and date of termination:

<input checked="" type="checkbox"/> One Person Family, total income was <b>below</b>	\$ <u>\$14,400</u>
<input type="checkbox"/> Two Person Family, total income was <b>below</b>	\$ _____
<input type="checkbox"/> Three Person Family, total income was <b>below</b>	\$ _____
<input type="checkbox"/> Four Person Family, total income was <b>below</b>	\$ _____
<input type="checkbox"/> Five Person Family, total income was <b>below</b>	\$ _____
<input type="checkbox"/> Six Person Family, total income was <b>below</b>	\$ _____
<input type="checkbox"/> Seven Person Family, total income was <b>below</b>	\$ _____
<input type="checkbox"/> Eight Person Family, total income was <b>below</b>	\$ _____

I hereby certify that the above information is true and correct to the best of my knowledge and understand that completion of this form is voluntary.

Lindsey Sellsmith

10/30/97

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**SAMPLE DOCUMENT 2**

**LIST OF JOBS FOR BENEFIT**

ABC Company, Inc.

Project Approved: 10/23/98 / 90-Day Window: 6/16/98

**Period of Claim:** January 1, 2000 through December 31, 2000

ABC Company  
114 Oak Drive  
Bluebonnet, Texas 77777

**Project No.** EP#####

Job No.	Position Title	Social Security Number	Employee Name	Payroll During Claim Period	Hours Worked During Claim Period	Date Hired to Position / Date Left Position	EZ Resident	Econ. Disadvantaged
<b>PREVIOUSLY CERTIFIED JOBS (updated):</b>								
001	Division Director	###-##-####	Dennis E. Director	\$68,987	2,318	09/01/98 to Present	N	N
002	Office Manager	###-##-####	Mary Worker	\$27,208	2,056	09/15/98 to Present	N	N
003	Sales Manager	###-##-####	Delores Incharge	--	--	09/15/98 to 06/30/99		
003A		###-##-####	Crystal Topseller	\$29,695	2,677	07/01/99 to Present	N	N
004	Sales Rep.	###-##-####	Lindsey Sellsmith	\$45,083	2,020	10/30/98 to Present	N	Y
005	Printer	###-##-####	Adam Typeset	--	--	01/15/98 to 09/20/99		
005A		###-##-####	Marge Preston	\$23,496	2,155	09/20/99 to Present	Y	N
<b>NEW JOBS THIS CLAIM:</b>								
006	Sales Rep.	###-##-####	Ben Pressure	\$42,990	1,980	09/20/98 to 11/31/00		
006A		###-##-####	Mike Ubuyitt	\$3,582	<u>160</u>	12/02/00 to Present	Y	N
			Position 006 TOTAL		<b>2,140</b>			
007	Print Shop Mgr.	###-##-####	Adam Typeset	\$32,450	2,509	09/20/99 to Present	N	N
008	Printer	###-##-####	Samuel Rotary	\$6,859	658	08/15/98 to 01/30/00		
008A		###-##-####	Luke Printer	\$14,190	<u>1,227</u>	02/10/00 to Present	N	N
			Position 008 TOTAL		<b>1,885</b>			
009	Janitor	###-##-####	Mack Fixit	\$1,200	160	12/20/98 to 01/26/00		
009A		###-##-####	George Washwell	\$13,650	<u>*1,820</u>	01/15/00 to Present	N	Y
			Position 009 TOTAL		<b>1,980</b>			
010	Receptionist	###-##-####	Stephanie Greeter	\$18,275	2,080	09/01/98 to Present	Y	N
011	Secretary	###-##-####	Jennifer Files	\$22,438	1,945	02/15/99 to Present	N	N
012	Maintenance	###-##-####	Mack Fixit	\$25,587	2,080	01/26/00 to Present	N	N

**Total Jobs Created:** 12

**Total Payroll:** \$375,690

**Total Enterprise Zone Residents and/or Economically Disadvantaged:** 5 (41%)

**Vacant Positions:** 0

**TOTAL # OF JOBS ON THIS PAGE** 12  
**TOTAL # OF JOBS ON THIS CLAIM** 7

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\*George Washwell was hired to replace Mack Fixit; however, George began working 11 days before Mack left the position for training purposes. Only George's hours were counted during the overlap period.

**NOTE 1:** When calculating the 25% requirement, EZR and ED are only counted once for each employee currently in a position. Vacant positions or employees that have already terminated are not included in the 25% calculation.

**NOTE 2:** Adam Typeset originally held position number 005. Adam then moved to position number 007. He is still listed under position number 005 because he held the position, but no hours are calculated for him because he did not hold the position during the claim period. Conversely, Mack Fixit originally held position 009, he then moved to position 012. He accumulated hours in both positions during the claim period, so hours are listed for him for both positions.

**NOTE 3:** When submitting a subsequent claim, the previous spreadsheet / "List of Jobs for Benefit" must be updated to show that the previously certified positions are being maintained. Once a position has been certified it must be maintained or remain filled for a period of 3-years. Submittal of any new or subsequent claim period "List of Jobs for Benefit" spreadsheet may be done electronically in MS-Excel format with the Application for Program Benefits on a diskette.